IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 7959 OF 2005

Ruturaj Co-op.Housing Scy.Ltd.... Petitioner.
Versus
State of Maharashtra & Ors.. ... Respondents.

Mr. S. M. Oaki/by Mr. Ambar Joshi
for the Petitioner.

Mr. C.R.Sonawane, AGP for Respondent No.1.

Mr. R.S.Apte for Respondent Nos.2 and 3.

CORAM : R. M. LODHA &
NARESH H. PATIL, JJ.

DATED : 11TH AUGUST, 2006.

P.C. :

Mr. R. S. Apte, Counsel for respondent nos.2 and 3, submits that until date no part of land from Survey No.1440-1442 situate at Kopri, Dist. Thane has been acquired. He submits that part of the said land was needed for widening the road and for that the petitioner was offered T.D.R. and/or compensation. He, however, made a definite statement that if, the petitioner is not ready and willing for acquisition of part of its land by private negotiation, the acquisition of the said land shall only be done after following due process of law for compulsory acquisition of such land and the

petitioner shall be paid compensation.

2. In view of the statement made by the Counsel for respondent nos.2 and 3, nothing needs to be done in the writ petition and it is disposed of, accordingly.

Sd/-

(R. M. LODHA, J.)

Sd/-

(NARESH H. PATIL, J.)